

**REMARKS**

The Office Action has been reviewed and the Examiner's comments carefully considered. Claims 1, 20, 21 and 22 are amended. No claims are cancelled or added. Thus, claims 1-22 remain pending and are submitted for reconsideration.

**Rejection based on Desprez**

Claims 1-15 and 20-22 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,595,543 ("Desprez"). The rejection should be withdrawn because Desprez fails to disclose, teach or suggest the claimed invention.

For example, claim 1 (as amended) recites that "the back surface of the plate member is configured to make unobstructed contact with the airbag upon deployment." Amended independent claims 20-22 include a similar feature. Desprez does not disclose or suggest this feature. In particular, Desprez discloses a plate 30 between the airbag 9 and the plate member 4. (Fig. 1 of Desprez.) The plate 30 is part of the frame member 6 which deforms at the hinge 32 upon deployment of the airbag. Desprez does not disclose that the back surface of the plate member is configured to make unobstructed contact with the airbag upon deployment. Thus, Desprez does not anticipate claims 1 and 20-22 and the rejection should be withdrawn.

In addition, with regard to claim 21, the PTO contends that Desprez teaches that the frame member "includes an opening for the airbag so that when deploying, the airbag does not deform the frame member." (Pages 3-4 of Office Action.) It is respectfully submitted that Desprez does not disclose this feature. In particular, the plate 30 (as part of the frame member 6) rotates at the film hinge 32 upon deployment (Fig. 1 of Desprez), which results in the plate member deforming upon airbag deployment. Thus, Desprez does not disclose a frame member that does not deform.

Claims 2-15 depend from claim 1 and are allowable therewith for at least the reasons set forth above without regard to the further patentable limitations contained therein.

Reconsideration and withdrawal of the rejection based on Desprez is respectfully requested.

Rejection based on Suzuki

Claims 1 and 6-17 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,601,870 (“Suzuki”). The rejection should be withdrawn because Suzuki fails to disclose, teach or suggest the claimed invention.

Amended claim 1 includes the feature “wherein the back surface of the plate member is configured to make unobstructed contact with the airbag upon deployment.” Suzuki does not disclose or suggest this feature. In particular, Suzuki discloses the use of metal doors 27 disposed between the plate member 11 and the frame member 26. (Figs. 1-2 of Suzuki.) Because Suzuki does not disclose that the back surface of the plate member is configured to make unobstructed contact with the airbag upon deployment, Suzuki does not anticipate claim 1.

Claims 6-17 depend from claim 1 and are allowable therewith for at least the reasons set forth above without regard to the further patentable limitations contained therein.

Reconsideration and withdrawal of the rejection based on Suzuki is respectfully requested.

Rejection based on Hagen

Claims 1, 6, 13-14, and 18-19 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,651,562 (“Hagen”). The rejection should be withdrawn because Hagen fails to disclose, teach or suggest the claimed invention.

Amended claim 1 includes the features “a plate member..., wherein the plate member is configured to be mated with an instrument panel; and a frame member.” The PTO asserts that Hagen discloses a plate member 62 that covers an opening of a separately formed frame member 20, as seen in Fig. 1. The PTO appears to consider the vehicle’s instrument panel 20 as the frame member. (Page 5 of the Office Action.) However, amended claim 1 makes a distinction between the frame member and the instrument panel by including the feature that the plate member is configured to be mated with an instrument panel and that a frame member extends from the back surface of the plate member. Since Hagen does not disclose a frame member that is distinct from an instrument panel, Hagen does not anticipate claim 1.

Dependent claims 6, 13-14, and 18-19 depend from claim 1 and are allowable therewith for at least the reasons set forth above without regard to the further patentable limitations contained therein.

Reconsideration and withdrawal of the rejection based on Hagen is respectfully requested.

Conclusion

The present application is now believed to be in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

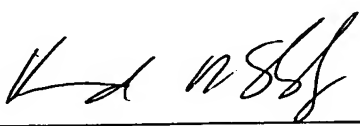
The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date February 23, 2006

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5490  
Facsimile: (202) 672-5399

By  39,370  
foi

Michael D. Kaminski  
Attorney for Applicant  
Registration No. 32,904